

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

JEFFREY LEWIS,

Plaintiff,

v.

LEHIGH VALLEY LOGISTICS,

d/b/a ALL U LOGISTICS,

Defendant.

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No. 5:21-cv-01753

ORDER

AND NOW, this 19th day of July, 2021, for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT**:

Defendant's motion to dismiss or, in the alternative, for summary judgment, ECF No. 6, is **GRANTED in part and DENIED in part** as follows:

1. The motion to dismiss Count I, asserting a violation of the ADA, is GRANTED and Count I is DISMISSED without prejudice.

2. The motion for summary judgment is DENIED without prejudice.

3. **Within twenty days of the date of this Order**, Plaintiff may file an amended complaint.

4. If Plaintiff does not timely file an amended complaint, the remaining state law claims will be dismissed without prejudice to an action to be filed in state court and the above-captioned action will be closed.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge